

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

RICHARD THAMES, #193580

§

VS.

§

CIVIL ACTION NO. 5:04cv217

ARAMART FOOD SERVICES

§

ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Caroline M. Craven, who issued a Report and Recommendation concluding that the complaint should be dismissed. The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is accordingly

ORDERED that the Defendant's motion to dismiss (docket entry #19) is **GRANTED**. It is further

ORDERED that the complaint is **DISMISSED** without prejudice. Fed. R. Civ. P. 41(b). All motions by either party not previously ruled on are hereby **DENIED**.

SIGNED this 20th day of July, 2005.



DAVID FOLSOM
UNITED STATES DISTRICT JUDGE